

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

RYSTA LEONA SUSMAN, BOTH
INDIVIDUALLY AND AS LEGAL
GUARDIAN OF SHANE ALLEN
LOVELAND; AND JACOB SUMMERS,

Plaintiff,

vs.

THE GOODYEAR TIRE AND RUBBER
COMPANY,

Defendant.

8:18CV127

**RULE 59 MOTION TO ALTER OR
AMEND; RULE 60 MOTION FOR
RELIEF**

COMES NOW, Kearney Towing and Repair Center, Inc. ("Kearney"), pursuant to Fed. R. Civ. P. 59 and Fed. R. Civ. P.60(b)(2) and hereby asks that the Court amend and/or provide further relief from its previous Order on Kearney's Motion to Intervene, Doc. No. 134. This motion is based upon the fact that new evidence has now developed, which could not have previously been discovered in that Goodyear Tire and Rubber Company has now been added as a Third-Party Defendant to the collateral case pending in state court that is the subject of the previously filed Motion. As required by NeCivR 7.1 a Brief in Support of this Motion and Index of Evidence is filed contemporaneously herewith.

Respectfully submitted,

KEARNEY TOWING & REPAIR CENTER, INC.,
A NEBRASKA CORPORATION

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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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